

John Murray

From: Andrew Magee
Sent: Monday, October 02, 2006 10:36 PM
To: Don Johnson; John Murray
Cc: Walter Foster (office)
Subject: Verizon license

Having read through the draft Verizon cable license I have a couple of questions/comments that I would like to have addressed tomorrow night. These include (but are not limited to):

- 1) At 3.1.1 it states that the "licensee shall off Cable Service to a significant number of residents in the Service Area within twelve (12) months." What is the definition of a "significant number." Should that be quantified in the license?
- 2) It sounds as if Verizon would have no incentive to offer the services listed at 5.8 and 5.9, even if such services are offered in other towns and cities. Wouldn't we want such basic service?
- 3) The minimum insurance requirements at 9.1.1.1, 9.1.1.2 and 9.1.1.4 seem extremely low.
- 4) Is the definition of "Town" adequate in 9.2.1?
- 5) Are the phrases "a reasonable time," "as soon as reasonably possible" and "reasonable satisfaction" adequate in 13.1 and 13.2?
- 6) In the discussion of Liquidated Damages at 13.6.1 and 13.6.2 the fines are \$100 per day and remain that for the full 15 years of the license. Given the likelihood of some inflation over this time, the implication is that the fine decreases over time. This is somewhat addressed in 13.6.3. Ultimately all of these numbers seem low and are at a scale comparable to those issued by the Town animal control officer. With the \$10,000 cap do we run the risk of having a problem that for the applicant it is easier to pay the fine than fix?

I have a few other questions that are for my edification rather than clarification in the license, so I will save those for tomorrow's discussion.

Thank you.

-Andy

10/3/2006